

dered that the product be denatured and sold for use other than for use as human or animal food; otherwise the product was to be destroyed. It was destroyed.

17733. Adulteration of pecan pieces. U. S. v. 8 Boxes * * *. (F. D. C. No. 31063. Sample No. 18362-L.)

LABEL FILED: April 24, 1951, Southern District of California.

ALLEGED SHIPMENT: On or about March 2, 1951, by the Natchez Pecan Shelling Co., from Natchez, Miss.

PRODUCT: 8 60-pound boxes of pecan pieces at Los Angeles, Calif.

LABEL, IN PART: "Dixie's Best Selected Shelled Pecans."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of rancid and otherwise decomposed pecan pieces.

DISPOSITION: June 14, 1951. Default decree of condemnation and destruction.

17734. Adulteration of pecan pieces. U. S. v. 3 Cases * * *. (F. D. C. No. 31026. Sample No. 3973-L.)

LABEL FILED: On or about May 1, 1951, Western District of Virginia.

ALLEGED SHIPMENT: On or about March 8, 1951, by the South Georgia Pecan Shelling Co., from Valdosta, Ga.

PRODUCT: 3 30-pound cases of pecan pieces at Roanoke, Va.

LABEL, IN PART: "The Pick of the Crop Nature's Finest Nuts."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of rancid and otherwise decomposed pecan pieces.

DISPOSITION: July 19, 1951. Default decree of condemnation and destruction.

OLEOMARGARINE

17735. Sale of colored oleomargarine as butter. U. S. v. Samuel Joseph Lafata (Sam Joseph), and Carl Mannone. Plea of guilty by Samuel Joseph Lafata; fine, \$750. Plea of nolo contendere by Carl Mannone; fine of \$250 and prison sentence of 1 year. Prison sentence suspended and Defendant Mannone placed on probation for 1 year. (F. D. C. No. 30576. Sample Nos. 16331-K, 16333-K, 16334-K, 16336-K, 16337-K.)

INFORMATION FILED: April 26, 1951, Eastern District of Michigan, against Samuel Joseph Lafata, also known as Sam Joseph, and Carl Mannone, Detroit, Mich.

ALLEGED VIOLATION: On or about October 3, 9, and 11, 1950, at Detroit, Mich., the defendants sold a number of packages of colored oleomargarine which was labeled as butter.

LABEL, IN PART: "One Pound Net Butter Manufactured By The Smithton Creamery Division Central Mo. Milk Cooperative Smithton, Missouri."

NATURE OF CHARGE: Colored oleomargarine was sold in violation of Section 407 (b) (3) (A), in that the word "oleomargarine" or "margarine" did not appear on the labels of the packages containing the product; and, Section 407 (b) (3) (B), in that a full and accurate statement of all the ingredients contained in the product did not appear on the labels of the packages. The packages bore no statement of the ingredients contained in the colored oleomargarine.

DISPOSITION: On June 12, 1951, Carl Mannone having entered a plea of nolo contendere to count 2 of the information, the court fined this defendant \$250 on that count and sentenced him to 1 year in prison. The prison sentence was suspended, however, and he was placed on probation for 1 year. On July 17, 1951, Samuel Joseph Lafata having entered a plea of guilty to the remaining 3 counts, the court fined him \$750.

17736. Adulteration of colored oleomargarine. U. S. v. 293 Cases * * *.
(F. D. C. No. 30997. Sample No. 28524-L.)

LIBEL FILED: June 19, 1951, Northern District of California.

ALLEGED SHIPMENT: On or about November 5, 1950, from Cincinnati, Ohio.

PRODUCT: 293 cases, each containing 24 cartons, of colored oleomargarine at Daly City, Calif.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of mold. It was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: July 3, 1951. Western Dairy Products, Inc., San Francisco, Calif., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for conversion into tallow, under the supervision of the Federal Security Agency.

POULTRY

17737. Adulteration of dressed poultry. U. S. v. Joe Sheehan (Sheehan Produce). Plea of guilty. Fine of \$200, plus costs. (F. D. C. No. 31069. Sample Nos. 89877-K, 89883-K.)

INFORMATION FILED: June 19, 1951. Northern District of Iowa, against Joe Sheehan, trading as Sheehan Produce, at Le Mars, Iowa.

ALLEGED SHIPMENT: Between the approximate dates of September 1 and 20, 1950, from the State of Iowa into the State of Nebraska.

NATURE OF CHARGE: Adulteration, Section 402 (a) (5), the article was in part the product of a diseased animal, namely, diseased poultry.

DISPOSITION: June 19, 1951. A plea of guilty having been entered, the court fined the defendant \$200, plus costs.

17738. Adulteration of dressed poultry. U. S. v. 6 Second-hand Crates * * *.
(F. D. C. No. 30919. Sample No. 4886-L.)

LIBEL FILED: April 12, 1951, District of Massachusetts.

ALLEGED SHIPMENT: On or about April 5, 1951, by the New Hampshire Poultry Co., from Manchester, N. H.

PRODUCT: 6 second-hand crates, each containing approximately 65 pounds of dressed poultry at Boston, Mass.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of birds that were contaminated with fecal matter and crop material; and, Section 402 (a) (5), the article was in whole or in part the product of a diseased animal.

DISPOSITION: May 21, 1951. Default decree of condemnation. The court ordered that the unfit portion of poultry be segregated from the fit portion, under the supervision of the Federal Security Agency; that the fit portion be